

**TOWN COUNCIL  
SPECIAL MEETING  
JANUARY 6, 1997**

The meeting was called to order at 6:33 p.m.

Present were Mayor Venis, Vice-Mayor Cox and Councilmember Bush. Also present were Town Administrator Flatley, Town Attorney Webber and Town Clerk Reinfeld recording the meeting. Councilmembers Kiar and Santini were absent.

Mayor Venis explained that each agenda item would be discussed individually with Mr. Webber providing an explanation. He advised that the public would be allowed to speak on each item.

**1. CHARTER ISSUES**

**1.1 Charter Review Timeframes**

Mr. Webber explained the Charter Review Board's recommendation for the Charter to be reviewed every five years. He indicated that Council had reviewed this recommendation and decided that the Charter should be reviewed no later than every ten years. Mayor Venis asked if anyone wished to speak on this item.

Judy Paul, 14421 SW 24 Street, discussed the Board's recommendation of five years.

Arthur Joseph, 13700 SW 18 Court, thought that ten years was too long.

Dean Alexander, 13820 SW 16 Street, said that a workshop should have been held with the Board which needs to be part of the process. He discussed the Board's recommendation of five years.

Al Tyler, 8090 SW 19 Court, agreed with the Board's recommendation of five years.

Mayor Venis closed the hearing.

Vice-Mayor Cox indicated that she did not think that a timeframe should be provided and added that the Code could be reviewed at anytime. Councilmember Bush agreed but thought there should be some type of protection for an automatic review. Mayor Venis suggested that a review be held after seven or eight years which Vice-Mayor Cox indicated that she would not support.

Town Clerk Reinfeld advised that Council had previously approved the ten year provision at its November 25th meeting. Mr. Webber stated that if Council decided to make changes to the ordinance, the ordinance could be corrected by the Council meeting on January 8th. Discussion followed with it being decided that the issue of a Charter review being held after seven years being discussed at the Council meeting.

**1.2 Deletion of Finance Department**

Mr. Webber explained the recommendation of the Charter Review Board. Mayor Venis asked if anyone wished to speak on this item.

Ms. Paul indicated that she did not have a problem with this deletion.

Mr. Tyler thought the Finance Department should not be deleted from the Charter and that the Board's recommendation should be accepted.

Mayor Venis closed the hearing.

Mr. Webber advised that the duties of the Finance Department were located in another portion of the Code and in the Florida State Statutes.

**1.3 Creation of Advisory Committees by Resolution/Ordinance**

Mr. Webber explained the recommendation of the Charter Review Board. Mayor Venis asked if anyone wished to speak on this item.

**TOWN COUNCIL  
SPECIAL MEETING  
JANUARY 6, 1997**

Mr. Alexander explained the rationale behind the proposed change. Ms. Paul concurred with Mr. Alexander.

Mayor Venis closed the hearing.

Vice-Mayor Cox indicated that one problem would be that it could take several weeks to establish committees by ordinance and to make appointments.

Mr. Joseph discussed the process when the residents wanted something versus the process when Council wanted something.

Mayor Venis recommended that there be no change to the proposed ordinance which Councilmember Bush and Vice-Mayor Cox agreed with.

#### 1.4 Sale of Property

Mr. Webber explained the recommendation of the Charter Review Board and indicated that Council's recommendation had been drafted and incorporated. Mayor Venis asked if anyone wished to speak on this item.

Laurrelle Crawford-Kuvin, 2151 South Hiatus Road, explained the Board's recommendation concerning personal property. She requested that the list of approximate values be returned to the proposed language.

Ms. Paul stated that she concurred with the corrected wording.

Mr. Tyler agreed with Ms. Crawford-Kuvin.

Herb Hyman, Procurement Manager, discussed the difficulties with the Board's recommendation. Discussion followed.

David Kaplan, 7791 NW 33 Street, stated that indicating a value was not for the purpose of bids but for the residents to know what the Town was doing. He recommended that there be an amount set for advertising of value to be required.

Edna Moore, 6553 Stirling Road, suggested that the items to be auctioned be noticed in the Davie Update along with the value.

Ms. Paul discussed the language provided that items with a value less than \$500 could be discarded by the Town Administrator.

After discussion, Vice-Mayor Cox suggested that the method of disposition and the notice of auction be provided for by ordinance and should not be in the Town's Charter. Mayor Venis and Councilmember Bush agreed.

Mayor Venis closed the hearing.

#### 1.5 Council Powers and Duties

Mr. Webber explained the recommendation of the Charter Review Board and indicated that Council had made a modification.

Ms. Crawford-Kuvin asked when the nepotism clause was to be discussed. Mayor Venis indicated that this matter could be discussed at the January 8th Council agenda.

Mr. Joseph stated that if the Board's recommendation was not accepted, then this matter should be deleted.

Ms. Paul concurred with Mr. Joseph.

Mr. Tyler concurred with the previous speakers and indicated that this should be adopted as staff recommended.

Mr. Kaplan indicated that a change of auditors every five years was reasonable.

John Pisula, 2933 SW 136 Avenue, advised that the Board felt strongly on this issue.

Mayor Venis closed the hearing.

**TOWN COUNCIL  
SPECIAL MEETING  
JANUARY 6, 1997**

Councilmember Bush and Vice-Mayor Cox stated that they did not have any objection if this was brought back before Council. Vice-Mayor Cox questioned the cost involved with changing auditors and staff time. Christopher Wallace, Director of Budget and Finance, indicated that the first year was more expensive and indicated that many corporations retained auditors for decades while others changed every five years. He advised that he did not have a preference in the timeframe to change auditors but less than five years took away the ability to choose the best company. After some discussion, it was decided that this matter would be discussed at the January 8th meeting.

**1.6 Removal of Substance Abuse as a Criteria for Recall of Council Member**

Mr. Webber explained the proposed change. Mayor Venis asked if anyone wished to speak on this item.

Ms. Paul questioned if substance abuse was included in the State Statutes. Mr. Webber responded that the term substance abuse was not specifically referred to in the law. Ms. Paul indicated that this matter should be consistent with the Town's Drug Free Work Place and Council should be held to the same criteria of the police officers and firefighters.

Mr. Alexander questioned what could be referred to as a substance abuse. Mr. Webber replied that he was most comfortable relying on the criteria set for in the State Statute.

Richard Weiner, 10244 SW 18 Street, recommended that this matter be provided by ordinance and that Council should be held to the same criteria as the Town's employees.

Mr. Joseph questioned why there were two standards and added that he did not believe in random drug testing.

Mr. Tyler indicated that this matter should be included in the Charter.

Mr. Alexander agreed that Council should be held to the same ethical standards as the employees.

Mayor Venis closed the hearing.

After a brief discussion, Mr. Webber recommended that this issue remain in the Charter as it currently was.

**1.7 Charter Board Recommendation for Non-Agendized Items Added to Agenda**

Mr. Webber explained the Board's recommendation which was not accepted by Council. Mayor Venis asked if anyone wished to speak on this item.

Mr. Alexander explained the Board's recommendation.

Mayor Venis closed the hearing.

Mayor Venis indicated that he had voted in opposition to this recommendation because there were many times that the issues that were added to the agenda had a certain timeframe. He indicated that this could be a policy; however, in some cases, items had to be added. Vice-Mayor Cox stated that she did not like issues added at the last minute, however, sometimes items that were not emergencies needed to be acted upon. She added that this recommendation would tie the hands of Council. Councilmember Bush recommended that adding items be approved by a 75% vote of Council which Vice-Mayor Cox indicated could be placed in an ordinance. It was decided that Council would not change its decision.

**1.8 Charter Board Recommendation for Public Input at Meetings**

Mr. Webber explained the Board's recommendation which was not accepted by

**TOWN COUNCIL  
SPECIAL MEETING  
JANUARY 6, 1997**

Council. Mayor Venis asked if anyone wished to speak on this item.

Mr. Joseph explained the Board's recommendation. He recommended that the issues that were rejected by Council should be presented to the voters in a straw ballot.

Ms. Paul stated that this issue would allow for a true forum for individuals to speak.

Mr. Tyler indicated that the ACLU indicated that the Town was not required to provide this time because it was not in the Charter. He thought this matter should be in the Charter.

Iva Smith, Church of God, agreed that this matter should be in the Charter.

Ms. Moore stated that the public input meetings should return to twice a year with meetings being held on the fifth Wednesday.

James Ale, 3672 SW 60 Terrace, stated that there should be an open forum at each meeting and questioned if the forum was currently advertised. Ms. Reinfeld replied negatively. Mr. Ale recommended that the forum be advertised and that the issue be part of the Charter. No action was taken by Council.

Mr. Kaplan stated that Council "bashing" was a shame and more constructive energy was needed.

Mayor Venis closed the hearing.

Vice-Mayor Cox stated that it may be appropriate for a provision in the Charter for people to address the government but not the time nor the meeting day. She indicated that she would support a policy being established to provide for 30 minutes per month being reserved for public input. Councilmember Bush and Mayor Venis agreed. Discussion followed with further discussion to be held at the January 8th meeting.

**1.9 Emergency Appropriations**

Mr. Webber explained the change. No one spoke on this issue.

**1.10 Insurance and Surety Bonds**

Mr. Webber explained the Board's recommendation with Council not making any changes to the existing section. Mayor Venis asked if anyone wished to speak on this item.

Mr. Tyler stated that it was very important that competitive bids be obtained on this issue.

Ms. Crawford-Kuvin explained the Board's recommendation and indicated that this issue needed to be competitively bid.

Mr. Kaplan stated that the Town had an obligation to look at the different vendors and he agreed with the previous speakers.

Reverend Smith stated that competitive bidding protected Council.

Mr. Wallace advised that the Town had always employed a competitive process with bonds which had allowed the Town to be the lowest cost of issuer any time debt was issued. He explained the Town's bid procedure and said that the Town was always getting the best product for the best price.

Ms. Paul discussed conversations that were held at the Board's meeting.

Mayor Venis indicated that when money was borrowed from the bank, Council was provided with a list of the rates and the costs involved and it approved the institution.

Ms. Crawford-Kuvin referred to Mr. Wallace's comments by indicating that this issue should be in the Charter if he was already comparing services.

Mayor Venis closed the hearing.

After further discussion, Mayor Venis suggested that this item be discussed at the

**TOWN COUNCIL  
SPECIAL MEETING  
JANUARY 6, 1997**

January 8th meeting.

1.11 Annual Review of Notes and Bonds

Ms. Crawford-Kuvin recommended that this item be discussed at the January 8th meeting.

1.12 Town Plan

Mr. Webber explained the Board's recommendation with Council modifying the language. He explained staff's concerns with the Board's recommendation. Mayor Venis asked if anyone wished to speak on this item.

Mr. Alexander stated that the modification was ambiguous.

Ms. Paul explained the equestrian communities reaction to the modified language.

Mr. Joseph disagreed with the modified language.

Mr. Tyler agreed with the previous speakers and discussed upcoming developments. He asked that Council accept the Board's language.

Mayor Venis closed the hearing and announced that this item would be deferred to the January 8th meeting.

1.13 Vacating or Abandoning Streets

1.14 Fire Department Language Consistent with Police Department

1.15 Franchise Grants

1.16 Charter Board Recommendation for Charter Amendments

Mayor Venis recommended that these items be discussed at the January 8th Council meeting.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to defer items 1.13 to 1.16 to a Council meeting [January 8, 1997]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - absent; and Councilmember Santini - absent. (Motion carried 3-0)

There being no objections or further business, the meeting was adjourned at 9:53 p.m.

APPROVED \_\_\_\_\_

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Mayor/Councilmember

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Town Clerk